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Reports Analysis Division  
Federal Election Commission  
999 E Street, NW  
Washington, DC 204663

Dear Sirs and Madams:

This letter is in response to a request for additional information issued to candidate ID number SOPA00434, Joseph Sestak, ("the Individual") on July 26, 2013.

"Friends of Joe Sestak" ("the Committee") remains a testing the waters committee and has not conducted any "candidate activities" as defined by Commission Regulations. All money raised has been in clear accordance with U.S.C. § 100.72, as the Committee has **not conducted any activities that would trigger such "candidate status."** "Friends of Joe Sestak" is solely conducting testing the water activities pursuant to the Federal Election Campaign Act of 1971, the Code of Federal Regulations, FEC law and regulations, and the advice of several specialists from the FEC compliance office.

In addition, the Individual nor the Committee has not given consent to another person to conduct campaign activities or raise money through campaign activity. If third parties that conduct campaign activities, not testing the waters activities, do exist, they have not been authorized or in coordination with the Individual nor the Committee. **The Individual and Committee disavow any such unauthorized campaign activities.**

At this point, the Individual and Committee have filed all necessary documents to continue to operate as a testing the waters committee. The FEC Testing the Waters Brochure, which exists in the March 2010 Record, [Attachment A] that was given to the Committee by contacting the FEC compliance office, clearly states that such is the case:

*"An individual who merely test the waters, but does not campaign for office, does not have to register or report as a candidate even if the individual raises more than \$5,000—the dollar threshold that would normally trigger registration."*

#### **FEC guidance**

The Individual and Committee sought FEC counsel before they initiated any testing the waters activities, and have been gratefully **guided by the FEC**

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